

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

ROSE GARCIA §
v. § CIVIL ACTION NO. 9:07cv135
PASCHALL TRUCK LINES, INC., ET AL. §

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

The [Report and Recommendation](#) of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that Defendant Paschall Truck Lines, Inc.'s Motion to Dismiss or in the Alternative Motion for Summary Judgment ([document #22](#)) be denied as moot. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that Defendant Paschall Truck Lines, Inc.'s Motion to Dismiss or in the Alternative Motion for Summary Judgment ([document #22](#)) is **DENIED**.

So **ORDERED** and **SIGNED** this **9** day of **April, 2008**.



Ron Clark, United States District Judge